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underlying litigation, requests to waive service on Eric Gallaher and Derek Gallaher. To date, the Gallahers have not responded to plaintiff's request to waive service. Plaintiff requests an extension of 120 days to complete service upon defendants, pursuant to Federal Rule of Civil Procedure 4(m).

Fed.R.Civ.P. 4(m), Time Limit for Service, provides, in relevant part:

If a defendant is not served within 120 days after the Complaint is filed, the court - on motion or on its own after notice to the plaintiff - must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

The court finds plaintiff's motion to extend the time for service upon defendants well taken. Plaintiff has filed the motion before the original time provided by Rule 4(m) has expired. Moreover, plaintiff has shown good cause through its efforts via private process server to serve the Gallahers. At this early stage of the proceedings, the court finds that none of the parties will be unfairly prejudiced if the court grants plaintiff's motion for additional time to complete service on the Gallaher defendants. Accordingly, for the good cause shown, plaintiff's motion for extension of time to serve defendants [Doc. 16] is **GRANTED**, whereby plaintiff shall have an additional **120 days** to complete service upon Eric Glenn Gallaher and Derek Lynn Gallaher.

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips
United States District Judge